

REMARKS

The present filing is responsive to the Office Action.

Summary of the Response

Claims 3, 8, 14 and 19 have been amended to correct obvious typographical and antecedent informalities. Claims 1-20 remain pending in this application. Reexamination and reconsideration of the present application as amended are respectfully requested.

Claim Rejections Under 35 USC 102

Claims 1-12, 14, 16-17 and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,181,401 to Penn. This rejection is respectfully traversed.

Independent claims 1 and 12 both require "rubbing directions of the respective alignment films of said pair of substrates are substantially parallel to each other". Penn does the teach parallel rubbing directions of alignment films. Referring to Penn at col. 3, lines 6-14: "It should be understood, that layers must provide for a substantially 90° polarization twist across the liquid crystal". With this constraint the rubbing directions can be parallel to the front polarizer and perpendicular to the rear polarizer, perpendicular to the front polarizer and parallel to the rear polarizer, perpendicular to the front and rear polarizers, or parallel to the front and rear polarizers." This quoted section merely discusses the angular relationship between the rubbing directions with respect to the polarizers, not the angular relationship between the rubbing directions of alignment films, let alone a parallel relationship between the rubbing directions of alignment films. One cannot reasonably conclude from Penn that just because the rubbing

directions being perpendicular and/or parallel to the polarizers, that would necessarily mean that the rubbing directions are parallel to each other. In fact, referring to Figs. 5 to 7, none of the figures shows a parallel relationship between rubbing directions, even though polarizations of the front and rear polarizers 11 and 13 may be parallel or perpendicular to each other. The angular relationship of polarizations of the polarizers and the rubbing directions are discussed in detail in Penn at col. 6, line 59 to col.7, line 47, but nowhere is there any disclosure of a parallel relationship between rubbing directions of alignment films. And in fact, Penn specifically requires non-parallel rubbing directions, consistent with Penn at col. 3, lines 6-9: "It should be understood, that layers must provide for a substantially 90° polarization twist across the liquid crystal". In order to achieve a 90° polarization twist across the liquid crystal, the rubbing directions must be not be parallel to each other.

Accordingly, the structure recited in independent claims 1 and 12 are not anticipated by Penn. All dependent claims are likewise not anticipated.

Should the Examiner reject claims 1 and 12 based on a new ground of rejection in the next action, such next action should not be made final, as such new ground of rejection would not have been necessitated by the present amendment.

Claim Rejections Under 35 USC 103

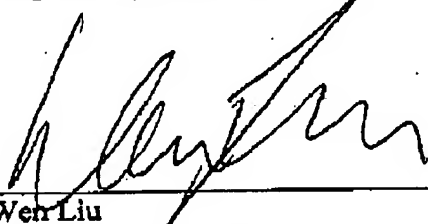
Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Penn as applied to claims above. This rejection is respectfully traversed given the patentability of the base claims 1 and 12.

CONCLUSION

In view of all the foregoing, Applicant submits that the claims pending in this application are patentable over the references of record and are in condition for allowance. Such action at an early date is earnestly solicited. The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to Deposit Account No. 501288 referencing the attorney docket number of this application.

Respectfully submitted,



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Dated: July 18, 2008

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